

1004 Rec'd PCT/PTO 09 NOV 2005

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

12604/17

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

**10/556222**

INTERNATIONAL APPLICATION NO.

**PCT/EP2004/003492**

INTERNATIONAL FILING DATE

**April 2, 2004**

PRIORITY DATE CLAIMED:

**09.05.2003**

(09 May 2003)

TITLE OF INVENTION

**COMPACT DRIVE**

APPLICANT(S) FOR DO/EO/US

**Thomas LEICHTER, Jochen MAHLEIN, Josef SCHMIDT and Bernhard KOEHLER**

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (German language)
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A Substitute Specification and Marked-Up Version of the Substitute Specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: PCT-Form PCT/RO/101, Published International Application, International Search Report and International Preliminary Report on Patentability

**1020 PCT/EP** **09 NOV 2005**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold;">10/556222</div>	INTERNATIONAL APPLICATION NO. PCT/EP2004/003492	ATTORNEY'S DOCKET NUMBER 12604/17
--	--	--------------------------------------

The following fees are submitted:

<b>21. <input checked="" type="checkbox"/> Basic National Fee</b> .....\$ 300.00	\$ 300.00	
<b>22. <input checked="" type="checkbox"/> Examination Fee</b> —If International preliminary exam report prepared by USPTO and all claims satisfy provisions of PCT Article 33/(1)(4).....\$ 100.00 —All other situations.....\$ 200.00	\$200.00	
<b>23. <input checked="" type="checkbox"/> Search Fee</b> —Search Fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as ISA.....\$ 100.00 —International Search Report prepared and provided to the Office.....\$ 400.00 —All other situations.....\$ 500.00	\$400.00	
<b>TOTAL OF (21), (22), &amp; (23) =</b>	<b>\$900.00</b>	

<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
26 -100	0/50=	0	x \$250	\$0.00	

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	21 - 20 =	0	x \$50.00	\$50.00	
Independent Claims	1 - 3 =	0	x \$200.00	\$0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$950.00</b>	

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**SUBTOTAL = \$950.00**

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). \$

**TOTAL NATIONAL FEE = \$950.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet. \$40.00 per property. \$

**TOTAL FEES ENCLOSED = \$950.00**

a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.	Amount to be refunded:	\$
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <b>11-0600</b> in the amount of \$950.00 to cover the above fees. A duplicate of this sheet is enclosed.	Amount to be charged	\$950.00

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **11-0600**. A duplicate copy of this sheet is enclosed.  
 d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

KENYON & KENYON  
 One Broadway  
 New York, New York 10004  
**CUSTOMER NO. 26646**

\_\_\_\_\_  
 SIGNATURE  
 Clifford A. Ulrich (Reg. No. 42,194)  
 NAME  
 Nov. 9, 2005  
 DATE